

By this amendment, claims 1-6, 19-21, and 23-31 have been canceled and new claims 32-51 have been added to more clearly set forth the present invention. New independent claims 32 and 42 set forth an electronic still camera for initiating capture of a still image while previewing motion images on a display, and including an image sensor having a two-dimensional array of photosites for capturing images of a scene, each captured image having pixel values. The electronic still camera also includes first processing means (first processor in new claim 42) for generating a first number of pixel values representative of a series of motion images, a display for presenting at least some of the motion images of the series of motion images corresponding to the captured images of the scene, and a capture button for initiating capture of a still image while previewing the motion images presented on the display. The electronic still camera further includes second processing means (second processor in new claim 42) for generating a second number of pixel values representative of a captured still image, wherein the second number of pixel values representative of the captured still image is greater than the first number of pixel values representative of the series of motion image, and a digital memory for storing the captured still image. No new matter has been added.

Claims 1, 6, and 26 were rejected under 35 U.S.C. §112, second paragraph for being indefinite. The Examiner states that the terms “relatively more complex and relatively more simple” in claims 1, 6 and 26 are relative terms which render the claim indefinite.

By this amendment, claims 1, 6, and 26 have been canceled. Accordingly, the Examiner’s rejection of claims 1, 6, and 26 under 35 USC §112, second paragraph is believed to be moot.

Claims 1, 2, 6, 19, 20, 21, 23 and 26 were rejected under 35 USC § 102(b) as being anticipated by Parulski et al. (U.S. Patent No. 5,440,343).

By this amendment, claims 1, 2, 6, 19, 20, 21, 23, and 26 have been canceled and new claims 32-39 have been added. The Parulski et al. reference will now be reviewed with respect to new independent claim 32, which is believed to be patentable over the cited art.

Parulski et al. do not disclose or suggest the electronic still camera as set forth in new independent claims 32 and 42. In particular, Parulski et al. fail to disclose first processing means (or a first processor) for generating a first number of pixel values representative of a series of motion images to be previewed, a display for presenting at least some of the motion images of the series of motion images corresponding to the captured images of the scene, and a capture button for initiating capture of a still image while previewing the motion images presented on the display.

Parulski et al. disclose an electronic imaging system that captures images in both a motion mode and a still mode. The motion mode and the still mode as disclosed in Parulski et al. are two independent modes, with no operational coupling between the two modes. The system of Parulski et al. includes a mode selection switch (element 20) to facilitate the switching of modes. To operate the system in the motion mode, a user places the mode selection switch 20 in a "motion" mode position and depresses a record switch to record motion images, as described on column 3, lines 16-18 of the Parulski et al. reference. To then record a still image using the Parulski et al. system, the user must place the mode selection switch 20 into a "still" motion position, so that a high resolution still image is captured each time the record switch is depressed, as disclosed on column 3, lines 27-31. Thus, the system of Parulski et al. either operates in a still mode to capture still images or in a motion mode to capture motion images.

In contrast, the electronic still camera of the present invention, as set forth in new independent claims 32 and 42, includes first processing means (first processor in new claim 42) for generating a first number of pixel values representative of a series of motion images to be previewed, a display for presenting at least some of the motion images of the series of motion images corresponding to the captured images of the scene, and a capture button for initiating capture of a still image while previewing the motion images presented on the display. These are features of an embodiment of the present invention which enable motion images displayed on the display to be used to compose a still image, and a still image to be captured while previewing the motion images on the display without having to switch modes in the electronic still camera. There is no

suggestion in Parulski et al. to provide such features. Moreover, there is clearly no motivation in Parulski et al. clearly to provide an electronic still camera to include first processing means (or a first processor) for generating a first number of pixel values representative of a series of motion images to be previewed, a display for presenting at least some of the motion images, and a capture button for initiating capture of a still image while previewing the motion images presented on the display, as set forth in new independent claims 32 and 42. Accordingly, new independent claims 32 and 42 are believed to be patentable and to define unobvious subject matter over Parulski et al. New claims 33-41 depend on new claim 32 and new claims 42-51 depend on new claim 42. Therefore, new claims 33-14 and 43-51 are also believed to be patentable and should be allowed along with new independent claims 32 and 42.

Claims 3 and 5 were rejected under 35 USC § 103(a) as being unpatentable over Parulski et al. (U.S. Patent No. 5,440,343).

By this amendment, claims 3 and 5 have been canceled. Accordingly, the Examiner's rejection of claims 3 and 5 under 35 USC § 103(a) is believed to be moot.

Claim 4 was rejected under 35 USC § 103(a) as being unpatentable over Parulski et al. (U.S. Patent No. 5,440,343) in view of Hickman (U.S. Patent No. 5,452,017).

By this amendment, claim 4 has been canceled. Accordingly, the Examiner's rejection of claim 4 under 35 USC § 103(a) is believed to be moot.

Claim 25 was rejected under 35 USC § 103(a) as being unpatentable over Parulski et al. (U.S. Patent No. 5,440,343) in view of Parulski et al. (U.S. Patent No. 5,493,335).

By this amendment, claim 25 has been canceled. Accordingly, the Examiner's rejection of claim 25 under 35 USC § 103(a) is believed to be moot.

Claims 27, 28, 29, 30 and 31 were rejected under 35 USC § 103(a) as being unpatentable over Parulski et al. (U.S. Patent No. 5,440,343) in view of Martinez et al. (U.S. Patent No. 5,226,114).

By this amendment, claims 27-31 have been canceled. Accordingly, the Examiner's rejection of claims 27-31 under 35 USC § 103(a) is believed to be moot.

Claim 23 was objected to for being dependent on a canceled claim. In addition, claim 24 was objected to for being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

By this amendment, claims 23 and 24 have been canceled. Accordingly, the objection of claims 23 and 24 is believed to be moot.

It is believed that these changes now make the claims clear and definite and, if there are any questions or concerns with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed that none of the references, taken singly or in combination, disclose the claimed invention. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,

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Enclosures: Letter to the Draftsperson
Copies of Formal Drawings

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